

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

SILVESTER HAYES,	§	
	§	
Plaintiff,	§	
	§	
v.	§	CIVIL ACTION NO. 3:23cv2271-S
	§	
CITY OF DALLAS et al.,	§	
	§	
Defendants.	§	

DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

TO THE HONORABLE COURT:

Defendants Holly Harris, Walter Guab, and the City of Dallas, pursuant to Rule 56 of Civil Procedure and Local Civil Rule LR 56.3, file this joint motion for summary judgment as to all claims alleged against them by Plaintiff Silvester Hayes. Defendants separately file their supporting brief (Dkt. No. 16) and appendix (Dkt. No. 17) in accordance with Local Civil Rules LR 56.5 and LR 56.6.

I. SUMMARY

Pursuant to Local Rule LR 56.3(b), the elements of the claims and defenses as to which summary judgment is sought are set forth in Defendants' supporting brief (Dkt. No. 16).

II. STATEMENT OF UNDISPUTED FACTS

Pursuant to Local Rule LR 56.3(b), Defendants' joint statement of undisputed facts is set forth in their supporting brief (Dkt. No. 16).

III. PRAYER FOR RELIEF

WHEREFORE, Defendants Holly Harris, Walter Guab, and the City of Dallas respectfully request that the Court grant their motion for summary judgment on all claims; dismiss with prejudice all of Plaintiff's claims against them; enter judgment in their favor on all claims; and grant them all other relief that is consistent with this motion.

Respectfully submitted,

CITY ATTORNEY OF THE CITY OF DALLAS

Tammy L. Palomino
City Attorney

/s/ Lindsay Wilson Gowin
Senior Assistant City Attorney
Texas State Bar No. 24111401
lindsay.gowin@dallas.gov

7DN Dallas City Hall
1500 Marilla Street
Dallas, Texas 75201
Telephone: 214-670-3519
Telecopier: 214-670-0622

ATTORNEYS FOR DEFENDANTS HOLLY HARRIS,
WALTER GUAB, AND THE CITY OF DALLAS

CERTIFICATE OF SERVICE

I hereby certify that on December 22, 2023, I electronically filed the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the CM/ECF system which will send notification to case participants registered for electronic notice. I further certify that to the extent applicable I have served all case participants not registered for electronic notice by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

s/ Lindsay Wilson Gowin
Senior Assistant City Attorney